

## **REMARKS/ARGUMENTS**

### ***Amendments in General***

The claims have been amended as specified above. None of the amendments add new matter.

More specifically, claim 1 has been amended to specify that the extensions are “still further configured to tip said bottom wall to a nonhorizontal angle when said top cover is folded beneath said bottom wall and said sterilization cassette rests upon a horizontal surface.”

Similarly, claim 25 has been amended to specify that the extensions are “still further configured to tip said bottom to a nonhorizontal angle when said top is in a second open position and said container rests upon a horizontal surface.”

These amendments are supported in the specification at paragraph [0044], which describes a configuration in which “lid extensions 54 will serve to tip second cassette 68 to an angle wherein the contents can be more easily viewed.”

Accordingly, the amendments add no new matter.

### ***Claim Rejections - 35 U.S.C. § 103***

#### **Claims 25, 30–31, and 37–40**

The Examiner rejected claims 25, 30–31, and 37–40 as being unpatentable (obvious) over Wittrock (U.S. Patent No. 5,482,067) in view of Williams (U.S. Patent No. 4,915,913) and Berry, Jr. (U.S. Patent No. 5,340,551).

Claims 30–31 and 37–40 depends from claim 25. Claim 25 has been amended to specify that the extensions are “still further configured to tip said bottom to a nonhorizontal angle when said top is in a second open position and said container rests upon a horizontal surface.” Accordingly, claims 25, 30–31, and 37–40 include this limitation.

None of Wittrock, Williams, Berry, and any combination thereof describes or implies this limitation. More specifically, though the Examiner contends that Wittrock teaches that the top is folded beneath the bottom of the container (col. 5, lines 41–45), there is absolutely no teaching or implication in Wittrock of extensions that are configured to tip the bottom to a nonhorizontal angle when the top is folded beneath the bottom of the container and the container rested upon a horizontal surface. Neither Williams nor Berry describes in any way a container in which the top

may be folded beneath the bottom, and thus neither describes or implies extensions that configured to tip the bottom to a nonhorizontal angle when the top is folded beneath the bottom and the container rested upon a horizontal surface. Accordingly, none of Wittrock, Williams, Berry, and combinations thereof makes obvious all of the limitations of claims 25, 30–31, or 37–40, in light of the amendments to claim 25.

### **Claims 1 and 33–36**

The Examiner rejected claims 1 and 33–36 as being unpatentable (obvious) over Wittrock in view of Dabich (U.S. Patent No. 4,535,908) and further in view of Williams and Berry, Jr.

Claims 33–36 depend from claim 1. Claim 1 has been amended to specify that the extensions are “still further configured to tip said bottom wall to a nonhorizontal angle when said top cover is folded beneath said bottom wall and said sterilization cassette rests upon a horizontal surface.” Accordingly, claims 1 and 33–36 include this limitation.

None of Wittrock, Dabich, Williams, Berry, and any combination thereof describes or implies this limitation. As discussed above, none of Wittrock, Williams, and Berry in any way describes or implies extensions that are configured to tip a bottom wall to a nonhorizontal angle when a top cover is folded beneath the bottom wall and the sterilization cassette rested upon a horizontal surface. Likewise, Dabich in no way describes or implies this limitation. Notably, Dabich does not even describe a cassette in which the top cover may be folded beneath a bottom wall. Accordingly, none of Wittrock, Dabich, Williams, Berry, and any combination thereof make obvious all of the limitations of claims 1 and 33–36, in light of the amendments to claim 1.

### **Claim 26**

The Examiner rejected claim 26 as being unpatentable (obvious) over Wittrock in view of Williams and Berry as applied to claim 25 and further in view of Dabich.

Claim 26 depends from claim 25 and thus includes the limitations of claim 25 as amended, including the limitation that the extensions are “still further configured to tip said bottom to a nonhorizontal angle when said top is in said second open position and said container rests upon a horizontal surface.”

As discussed above, none of Wittrock, Williams, Berry, Dabich, and any combination thereof describes or implies such a limitation. Accordingly, none of Wittrock, Williams, Berry, Dabich, or any combination thereof makes obvious all of the limitations of claim 26, in light of the amendments to claim 25.

### **Claim 27**

The Examiner rejected claim 27 as being unpatentable (obvious) over Wittrock in view of Williams and Berry, Jr., as applied to claim 25 and further in view of Kirksey (U.S. Patent No. 4,576,281).

Claim 27 depends from claim 25 and thus includes the limitations of claim 25 as amended, including the limitation that the extensions are “still further configured to tip said bottom to a nonhorizontal angle when said top is in said second open position and said container rests upon a horizontal surface.”

As discussed above, none of Wittrock, Williams, Berry, and any combination thereof in any way describe or imply such a limitation. Likewise, Kirskey does not describe or imply such a limitation. Notably, Kirskey does not even describe a container in which a top is folded beneath the bottom of the container. Accordingly, none of Wittrock, Williams, Berry, Kirskey, or any combination thereof make obvious all the limitations of claim 27, in light of the amendments to claim 25.

### **Claim 28-29**

The Examiner rejected claims 28 and 29 as being unpatentable (obvious) over Wittrock in view of Williams and Berry, Jr., as applied to claim 25 and further in view of DeCoster (U.S. Patent No. 4,723,693).

Claims 28 and 29 depend from claim 25 and thus include the limitations of claim 25 as amended, including the limitation that the extensions are “still further configured to tip said bottom to a nonhorizontal angle when said top is in said second open position and said container rests upon a horizontal surface.”

As discussed above, none of Wittrock, Williams, Berry, and any combination thereof in any way describe or imply such a limitation. Likewise, DeCoster does not describe or imply such a limitation. Notably, DeCoster does not even describe a container in which a top is folded beneath the bottom of the container. Accordingly, none of Wittrock, Williams, Berry, DeCoster, or any combination thereof makes obvious all the limitations of claims 28 and 29, in light of the amendments to claim 25.

***Conclusion***

None of the amendments made herein add new matter.

If the Examiner feels it would advance the application to allowance or final rejection, the Examiner is invited to telephone the undersigned at the number given below.

Reconsideration and allowance of the application as amended is respectfully requested.

DATED this 2nd day of March, 2009.

Best regards,

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**CERTIFICATE OF MAILING**

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